

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference <b>B03141PCE2A</b>	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. <b>PCT/EP2004/051212</b>	International filing date ( <i>day/month/year</i> ) <b>23 June 2004 (23.06.2004)</b>	Priority date ( <i>day/month/year</i> ) <b>25 June 2003 (25.06.2003)</b>	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant <b>ELECTROLUX HOME PRODUCTS CORPORATION N.V.</b>			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input checked="" type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report <b>03 January 2006 (03.01.2006)</b>
Authorized officer  <b>Ellen Moyse</b>	Telephone No. +41 22 338 89 75

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

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18 OCT 2004

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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

### FOR FURTHER ACTION

See paragraph 2 below

International application No.  
PCT/EP2004/051212

International filing date (day/month/year)  
23.06.2004

Priority date (day/month/year)  
25.06.2003

International Patent Classification (IPC) or both national classification and IPC  
D06F73/02, D06F58/10

Applicant  
ELECTROLUX HOME PRODUCTS CORPORATION N.V.

#### 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2  
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**Box No. I Basis of the opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material:  
 in written format  
 in computer readable form
  - c. time of filing/furnishing:  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**Box No. II Priority**

1.  The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).  
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2.  This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-16
	No: Claims	
Inventive step (IS)	Yes: Claims	3,11-13,16
	No: Claims	1,2,4-10,14,15
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1 The following documents are referred to in this communication:

D1 : PATENT ABSTRACTS OF JAPAN, vol. 1999, no. 12, 29 October 1999 (1999-10-29); JP 11 189968 A (MIYATA YUKIO), 13 July 1999 (1999-07-13)

D2 : GB1062979A (PROCTOR&SCHWARTZ INC) 22 March 1967 (1967-03-22)

D3 : EP 0 479 241 A (KIMURA TAKAYUKI) 8 April 1992 (1992-04-08)

D4 : US 5 433 919 A (BALTES HANS) 18 July 1995 (1995-07-18)

D5 : EP 0 148 385 A (BALTES HANS) 17 July 1985 (1985-07-17)

D6 : PATENT ABSTRACTS OF JAPAN, vol. 2002, no. 10, 10 October 2002 (2002-10-10); JP 2002 159431 A (MORIMOTO MAMORU;UCHIDA HARUO), 4 June 2002 (2002-06-04)

D7 : FR 2702 377 A (GABRIEL ROBEZ SARL) 16 September 1994 (1994-09-16)

D8 : EP 0 080 790 A (TOKYO COPAL CHEM) 8 June 1983 (1983-06-08)

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1. **Inventive step (Art. 33(3) PCT)**

The present application does not meet the requirements of Article 33(1) PCT, because the subject-matter of claims 1, 2, 4 - 10, 14 and 15 does not involve an inventive step in the sense of Article 33(3) PCT.

1.1 To independent claim 1:

The use of a droplet source in a clothes treating cabinet, where air within its interior is recirculated through a duct between the cabinet's external and internal walls is well known to the skilled man, as can be seen in e.g. either of D1 - D6, all of which solve the problem posed (page 3, line 20 - page 4, line 4). Therefore, an ultrasonic nebulizer associated with water supply means can not be seen as a contribution to the prior art, because this solution is already known in the field of clothes treating as providing the same advantages (see e.g. D7 or D8).

1.2 Dependent claims 2, 4-10, 14, 15 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

- To claim 2: Its subject-matter is a normal design procedure for the apparatus disclosed in D7.
- To claims 4, 5, 7-10, 14 and 15: Their resp. subject-matter is disclosed in D1 (whole document).
- To claim 6: Its subject-matter is disclosed in D6 (Fig. 1, Ref. sign 32).

2 DEPENDENT CLAIM 3

The combination of the features of dependent claim 3 is neither known from, nor rendered obvious by, the available prior art.